

Excerpts  
Planning Commission Minutes  
April 11, 2001

**Application No. YVA-6-01, Howard and Marion Clayton:** Request to construct a 2,332-square foot single-family detached home, pursuant to Section 24.1-327(b) of the York County Zoning Ordinance, on an undeveloped 0.19-acre parcel located at 115 Smith Street within the Yorktown Village Activity (YVA) zoning district. The parcel is further identified as Assessor's Parcel No. 18A-(1)-66A. The Comprehensive Plan designates Yorktown as an historical village without reference to specific land uses.

Mr. Tim Cross, with the assistance of a brief video presentation, summarized the staff report to the Commission dated April 2, 2001 in which the staff recommended approval of this application.

Mr. Simasek questioned how the applicants' proposal compares to the proposed Yorktown Historic District Guidelines, and Mr. Cross said the application is in conformance with the proposed Guidelines except the requested use of vinyl siding. Mr. Simasek questioned the compliance of the proposed garage, and Mr. Cross replied that the garage would be permitted as proposed, in his opinion, although the lot coverage is slightly greater than the Guidelines would allow.

Mr. Semmes asked if the proposed 25-foot setback is typical of other homes in the historic district, and Mr. Cross said it is not inconsistent with the other homes on Smith Street although it is a slightly deeper setback than the Guidelines recommend.

Chair Semmes opened the public hearing.

**Mrs. Marian Clayton**, 119 Smith Street, spoke in behalf of her application. Mrs. Clayton thought that the staff report was thorough and thanked the staff, but she felt the report was misleading in stating that the use of vinyl siding would be inconsistent "with the character and siding materials used on homes immediately surrounding the proposed structure nor in this part of the Yorktown Village." She cited a number of residential structures in Yorktown Village that use various types of siding, both vinyl and aluminum, and other surface finishes that are less desirable, in her opinion, than siding. She did not understand the prohibition against vinyl siding.

Mrs. Clayton said that she and Mr. Clayton have been active participants in Yorktown since 1988 and have supported the village and their neighbors. Since her husband suffered a debilitating stroke, she said, it has been very difficult to live in their present home with no bedroom or full bath on the first floor. They are anxious to build their new home and the time it has taken to get all of the information and permits have cost them around \$10,000, according to Mrs. Clayton.

Mrs. Clayton said their preference for vinyl siding, a sample of which she showed to the members, is related to their desire and need for an attractive and maintenance-free home. All of the architects and

designers they consulted recommended vinyl siding as most maintenance-free, she added. She said if the application is approved, their new structure will reflect positively on Yorktown and will blend with the rest of the neighborhood. She added that they are going to install a costly lift accessible from inside their garage rather than a ramp outside their home, indicating their concern for aesthetics.

Mrs. Clayton noted that the proposed Yorktown Historic District Guidelines are not approved and may not be approved as drafted, and she asked that they not be deprived of using their choice building material for the sake of compliance with an unapproved document. Mrs. Clayton requested a recommendation of approval.

Mr. Heavner inquired of their plans for the existing house, and Mrs. Clayton replied that it had been sold.

**Mrs. Edith Elliott**, 220 Bacon Street, lives adjacent to the Claytons. She believes they are assets to the community and, because of their deep feeling and love for Yorktown, she is sure their home will reflect pride and good taste as well as help maintain the atmosphere in Yorktown that its residents would like to have.

**Ms. Lisa Moberg**, 800 Link Road, is the designer who helped the Claytons develop a handicapped-accessible, maintenance-free plan for their house. She is a proponent of good-quality vinyl siding for residential structures, acknowledging that there also are cheap sidings available, which she would not recommend. She believed that high quality vinyl siding is superior to aluminum siding.

Mr. Shepperd inquired of the added cost if the house was to be built of brick, and Mr. Clayton said brick would cost six to seven percent more than vinyl siding.

**Mr. George E. Bennett, Jr.**, 107 Wind Forest Lane, purchased the Claytons' home, which he is currently renting to them. He agreed with the statements of Mrs. Elliott, adding that he and his wife would support whatever the applicants select for their home because they would want it to be an asset to the community.

Mrs. White asked why the proposed Yorktown Historic District Guidelines prohibit the use of vinyl siding in the historic core, and Mr. Carter explained that the Guidelines were drafted based on the predominant character of the development in the historic core. He indicated that both he and Mr. Cross were impressed, however, with the vinyl that the Claytons have selected and encouraged the members to look favorably at their request. He said the staff recommendation honors the Guidelines as proposed but does not preclude any flexibility the Commission has to make a different recommendation, particularly since the Guidelines have not been adopted. He suggested that, if the Commission decides to recommend use of the applicants' preferred siding, its recommendation should refer to that specific product to distinguish it from the lesser-quality vinyl siding products.

Mr. Simasek asked about the material proposed by the applicants for their garage door, and Mrs. Clayton said they prefer aluminum for the garage door and would enhance its appearance with lanterns and landscaping.

Mr. Heavner believed that approving the vinyl siding could set a precedent for other allowances outside the Guidelines, which he did not necessarily think would be desirable.

Mr. Hendricks suggested that, during the Guidelines review process, the Commission and the Board consider allowing the use of appropriate, modern building materials that retain the character of the historic core without degrading it.

Mr. Simasek did not agree that the overall design is justifiable for the historic district. He believes that the garage protrudes conspicuously in front of the house and doubted it would maintain the character to which the Guidelines aspire.

Mr. Semmes believed that this application should stand on its own merits and not be considered precedent-setting. The Commission can address the Guidelines at the appropriate time, he noted.

Ms. White moved the adoption of Resolution PC01-17(R), revising Condition 3 that prohibits the use of vinyl siding, to permit vinyl siding on the structure, specifically Berkshire beaded vinyl siding manufactured by Revere Company, or its equivalent. The motion carried by a roll call vote of 6:1, Mr. Simasek dissenting.

On motion of Mrs. White, which carried 6:1, the following resolution was adopted:

**A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION TO  
CONSTRUCT A SINGLE-FAMILY DETACHED HOME AT 115 SMITH  
STREET IN THE VILLAGE OF YORKTOWN**

WHEREAS, Howard and Marion Clayton have submitted Application No. YVA-6-01, which is a request to construct a 2,332-square foot single-family detached home, pursuant to Section 24.1-327(b) of the York County Zoning Ordinance, on a 0.19-acre parcel located at 115 Smith Street within the Yorktown Village Activity (YVA) zoning district and further identified as Assessor's Parcel No. 18A-(1)-66A; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 11th day of April, 2001, that Application YVA-6-01 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to authorize construction of a single-family detached home on a 0.19-acre parcel located at subject to the following conditions:

1. Building plans shall be submitted to and approved by the York County Department of Environmental and Development Services, Division of Building Regulation, prior to the commencement of construction activities on the subject parcel. Said plans shall be in substantial conformance with the building plans prepared by Boathouse Creek Graphics, Inc. and dated February 19, 2001, a copy of which shall be kept on file in the York County Planning Division.
2. As proposed by the applicant, exterior surfaces shall be white or have a neutral color that is compatible with the paint colors likely to have been used in historic Yorktown.
3. Vinyl siding shall be limited to Revere Berkshire™ Beaded Premium Vinyl Siding or an equivalent type and manufacturer of siding with an exposure of approximately 6.0 to 6.5 inches and a nominal thickness of approximately 0.05 inches.